

**TOWN BOARD REORGANIZATION MEETING
WEDNESDAY, JANUARY 5, 2011; 7:00 P.M.
NEW WINDSOR TOWN HALL
NEW WINDSOR, NEW YORK**

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Deputy Police Chief Hovey, Highway Superintendent Fayo, Town Attorney Blythe

SALUTE TO FLAG

Supervisor Green called to order the Reorganization Meeting and presided over same.

#1 On Agenda: Motion - Adopt Rules Of Procedure And Set Town Board Meetings - 2011

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the Rules of Procedure for the year 2011 pursuant to Section 43 of the Town Law and pursuant to the copy hereto attached to the minutes, marked #1. Also that the Town Clerk be authorized to advertise regarding Town Board meeting dates, pursuant to the Freedom of Information Law, Public Officers Law, Article #7.

Roll Call: All Ayes

Motion Carried: 5-0

#2 On Agenda: Minutes

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor approve the minutes of Public Hearings regarding repeal of Local Law 6-1983 - Chapter 96 of Town Code entitled "Animals", proposed adoption of Local Law entitled "Animals", and the minutes of the Town Board meeting, all held on December 1, 2010, as per the copies posted on the Town Clerk's bulletin board in the Town Hall, and same distributed to each of the Town Board members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

#3 On Agenda: Motion - Authorization To Purchase Small Tools And Equipment

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Highway Superintendent to make necessary purchases of small tools and equipment not to exceed \$500.00 per purchase without prior Town Board approval, pursuant to Highway Law 1A.

Roll Call: All Ayes

Motion Carried: 5-0

#4 On Agenda: Receive And File Appointment Of Deputy Highway Superintendent - 2011

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk the appointment of **SUPERVISOR GEORGE A. GREEN** as Deputy Highway Superintendent for 2011.

WATER DEPARTMENT

#5 On Agenda: Motion - Authorize Execution Of Agreement - Kiryas Joel - Catskill Water Tap

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute an agreement between Town of New Windsor and Village of Kiryas Joel for a shared tap to the Catskill Aqueduct.

Roll Call: All Ayes

Motion Carried: 5-0

TOWN BOARD REORGANIZATION MEETING
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**#6 On Agenda: Motion - Authorize Execution Of Agreement -
New York City Water Board**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to execute an agreement, as approved by the Town Attorney and Town Engineer, between Town of New Windsor Consolidated Water District, Town of New Windsor and New York City Water Board to take and receive water from the Catskill Aqueduct.

Roll Call: All Ayes

Motion Carried: 5-0

**#7 On Agenda: Motion - Authorize Execution of Settlement Agreement -
New York City Water Board**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute Settlement Agreement and all related documents in the matter of New York City Water Board v. Town of New Windsor as recommended by the Town Attorney.

Roll Call: All Ayes

Motion Carried: 5-0

SANITATION DEPARTMENT

**#8 On Agenda: Motion - Appoint Supervisor Of Refuse/Garbage
And Set Salary**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor approve the appointment of **ANTHONY E. FAYO** as Supervisor of Refuse and Garbage and set salary at \$20,867.00 for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

GENERAL

#9 On Agenda: Receive And File Appointment - Deputy Town Clerks

Hearing no objections, the Town Board of the Town of New Windsor receive and file the appointment of the Deputy Town Clerks for 2011 as submitted by the Town Clerk:

1st Deputy Town Clerk (Full Time)	Cheryl L. Canfield
2nd Deputy Town Clerk (Part Time)	Eleanor Spreer
3rd Deputy Town Clerk (Part Time)	Nancy Wilkins

#10 On Agenda: Receive And File Appointment - Deputy Receiver of Taxes

Hearing no objections, the Town Board of the Town of New Windsor receive and file the Receiver of Taxes' appointment of **SUSAN SCHEIBLE** as Deputy Receiver of Taxes for 2011.

**#11 On Agenda: Motion - Appoint And Set Salary - Registrar Of Vital
Statistics**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint **TOWN CLERK DEBORAH GREEN** as Registrar of Vital Statistics and set the salary at \$3,380.00 as budgeted for 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#12 On Agenda: Motion - Appointment Of FOIL Officer

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor appoint **TOWN CLERK DEBORAH GREEN** as FOIL Officer to handle all FOIL (Freedom of Information Law) requests for 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#13 On Agenda: Motion - Appointment Of FOIL Appeals Officer

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor appoint **TOWN ATTORNEY MICHAEL BLYTHE** as FOIL Appeals Officer for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

TOWN BOARD REORGANIZATION MEETING
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#14 On Agenda: Motion - Appointment Of Civil Defense Director

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor approve the appointment of **MICHAEL BIASOTTI** as Civil Defense Director for the year 2011.

Roll Call: All Aye

Motion Carried: 5-0

#15 On Agenda: Motion - Retain Services - Accounting Firm - Nugent & Haeussler, P. C.

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the retention of the accounting firm of **NUGENT & HAEUSSLER, P. C.**, 101 Bracken Road, Montgomery, New York, to conduct the annual audit for the Town of New Windsor and authorize the Town Comptroller to make the necessary arrangements as budgeted.

Roll Call: All Ayes

Motion Carried: 5-0

#16 On Agenda: Motion - Appoint Engineering Firm And Set Fee

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the adoption of the following resolution:

WHEREAS, the Town of New Windsor requires certain engineering work to be performed, namely:

General Town Engineering Services as outlined in a proposal from McGoe, Hauser and Edsall Consulting Engineers P. C. dated September 3, 2010.

Planning Board Engineering Services as outlined in a proposal from McGoe, Hauser and Edsall Consulting Engineers P. C. dated September 3, 2010.

BE IT RESOLVED, that the Engineering firm of **MCGOEY, HAUSER AND EDSALL CONSULTING ENGINEERS, P.C.**, 33 Airport Center Drive, Suite 202, New Windsor, New York, be retained as Engineers for the Town for the year 2011 and to be compensated according to the proposals dated September 3, 2010 and attached standard fee schedule submitted by the said consulting engineers.

Roll Call: All Ayes

Motion Carried: 5-0

#17 On Agenda: Motion - Appoint Attorney For Planning Board

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor reappoint **DRAKE, LOEB, HELLER, KENNEDY, GOGERTY, GABA & RODD, PLLC**, 555 Hudson Valley Avenue, New Windsor, New York, attorneys for the Town of New Windsor Planning Board for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#18 On Agenda: Motion - Set Salary For Deputy Supervisor

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor set the salary for the Deputy Supervisor at \$2,500.00 annually as budgeted for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#19 On Agenda: Motion - Appoint Town Historian

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint **GLENN MARSHALL** as Town Historian for 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#20 On Agenda: Motion - Set Mileage Rate For Town Officials

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor set the mileage rate for Town officials and employees in accordance with the Internal Revenue Service allowance.

Roll Call: All Ayes

Motion Carried: 5-0

TOWN BOARD REORGANIZATION MEETING
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#21 On Agenda: Motion - Designate Official Town Depositories

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor designate the following banks as the official Town depositories:

Bank of America	New Windsor
JP Morgan Chase Bank	New Windsor
Citizens Bank	New Windsor
HSBC Bank	New Windsor
Key Bank	New Windsor
Manufacturers & Traders Trust Company	New Windsor
Orange County Trust Company	New Windsor

Roll Call: All Ayes

Motion Carried: 5-0

**#22 On Agenda: Motion - Authorize Payment Of Dues -
New York State Association Of Towns**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the payment of \$1,650.00 for the annual Town membership dues to the New York State Association of Towns. Same to be paid from Special Items Account #A1920.4 as budgeted for 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#23 On Agenda: Motion - Appoint To Planning Board

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint **HOWARD BROWN**, 5003 John Hancock Court, New Windsor, New York to the New Windsor Planning Board. Term shall begin immediately and expire December 31, 2015.

Roll Call: All Ayes

Motion Carried: 5-0

#24 On Agenda: Motion - Appoint To Planning Board

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor appoint **HENRY SCHEIBLE**, 677 Little Britain Road, New Windsor, New York to the New Windsor Planning Board as an alternate. Term shall begin immediately and expire December 31, 2015.

Roll Call: All Ayes

Motion Carried: 5-0

#25 On Agenda: Motion - Set Salary - Assessment Board Of Review Chairman

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor set the salary for the Chairman of the Assessment Board of Review at \$70.00 per meeting for 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#26 On Agenda: Motion - Set Salary - Assessment Board Of Review Members

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor set the salary for the members of the Assessment Board of Review at \$35.00 per meeting, per member, for 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#27 On Agenda: Motion - Set Salary - Planning Board Chairman

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor set the salary for the Chairman of the Planning Board at \$105.00 per meeting attended for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#28 On Agenda: Motion - Set Salary - Planning Board Members

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor set the salary for the members of the Planning Board at \$70.00 each, per meeting attended for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

TOWN BOARD REORGANIZATION MEETING
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#29 On Agenda: Motion - Set Salary - Zoning Board Of Appeals Chairman

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor set the salary for the Chairman of the Zoning Board of Appeals at \$105.00 per meeting attended for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#30 On Agenda: Motion - Set Salary - Zoning Board Of Appeals Members

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor set the salary for the members of the Zoning Board of Appeals at \$70.00 each, per meeting attended for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#31 On Agenda: Motion - Appointment Of Court Officers

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the appointments of **DOMINICK LUCERA, ANTHONY D'ANGELO, THOMAS JAGICH, GEORGE KRAUSE** and **LUIS MERCADO** to serve as Court Officers for the two Justice Courts for 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#32 On Agenda: Motion - Approve Clerical Help - Town Board Meetings And Set Salary

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor approve clerical assistance at Town Board meetings and set the salary at \$60.00 per meeting attended and that said salary shall be paid from General Fund, Town Hall Expense.

Roll Call: All Ayes

Motion Carried: 5-0

#33 On Agenda: Motion - Appointment Of Night Court Clerks

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the appointment of **ELEANOR LECH, STEPHANIE HEFT** and **PATRICIA TARSIO** as Night Court Clerks for the two Justice Courts and set salary at \$60.00 each, per court night.

Roll Call: All Ayes

Motion Carried: 5-0

#34 On Agenda: Motion - Set Stipend For Deputies

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor set the stipend for 1st Deputy Town Clerk and Deputy Receiver of Taxes at \$175.00 per month, for 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#35 On Agenda: Appoint To Records Advisory Board

I, George A. Green, Town Supervisor of the Town of New Windsor, do hereby appoint to serve on the Records Advisory Board:

Glenn T. Marshall, Town Historian
Cheryl L. Canfield, Deputy Town Clerk

#36 On Agenda: Motion - Sign And Countersign Town Checks

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorizes the **TOWN SUPERVISOR GEORGE A. GREEN** to sign all checks and **COMPTROLLER JOHN FINNEGAN** to countersign same and permit said Supervisor and Comptroller to use a facsimile signature when necessary.

Roll Call: All Ayes

Motion Carried: 5-0

#37 On Agenda: Motion - Open Time Deposit Accounts

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorizes the Town Supervisor and Town Comptroller to open Time Deposit Accounts and Day of Withdrawals with the Town's official depositories for the purpose of investing idle funds.

Roll Call: All Ayes

Motion Carried: 5-0

TOWN BOARD REORGANIZATION MEETING
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#38 On Agenda: Motion - Name Official Newspaper

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor name **THE SENTINEL** as the official Town newspaper for the year 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#39 On Agenda: Motion - Name Official Radio Stations

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor name the following radio stations as the official radio stations for 2011: **WGNV** (Newburgh) and **WBNR** (Beacon).

Roll Call: All Ayes

Motion Carried: 5-0

#40 On Agenda: Motion - Appoint Supervisor Of Buildings And Grounds And Set Salary

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor approve the appointment of **MATTHEW VERONESI** as Supervisor of Buildings and Grounds and set salary at \$15,000.00 as budgeted for the year 2011, effective January 1, 2011.

Roll Call: All Ayes

Motion Carried: 5-0

#41 On Agenda: Motion - Adopt Benefits For Full Time Employees Not Covered By Labor/Management Contract

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following Resolution regarding employee benefits for seven (7) Town of New Windsor employees not covered by labor/ management agreements or individual employment contracts.

BE IT RESOLVED that the same benefits set forth in the current CSEA contract shall apply in full to the following employees:

Supervisor's Secretary

Deputy Town Clerk

Comptroller's Clerk

Secretary/Paralegal to Town Attorney

Clerk to Supervisor

Police Chief's Secretary

Deputy Receiver of Taxes

AND BE IT FURTHER RESOLVED that this resolution supersedes all previous resolutions including but not limited to the resolutions dated January 5, 1972; February 1, 1978; and June 21, 1978.

Roll Call: All Ayes

Motion Carried: 5-0

#42 On Agenda: Appoint Liaison Officers/Deputy Supervisor

I, George A. Green, Town Supervisor of the Town of New Windsor hereby appoint the following Liaison Officers:

Ambulance

Highway Department

Justice Court

Planning/Zoning Boards

Police Department

Recreation Department

Senior Citizens

Sewer Department

Social Services

Water Department

Newburgh School District

Supervisor Green

Councilman Lundstrom

Councilwoman Weyant

Councilwoman Biasotti

Supervisor Green

Councilwoman Mullarkey

Councilwoman Biasotti

Councilman Lundstrom

Councilwoman Mullarkey

Councilwoman Weyant

Councilwoman Mullarkey

Pursuant to Section 42 of the Town Law of the State of New York, I appoint **PATRICIA Y. MULLARKEY** to the office of Deputy Supervisor, to serve from January 2011 through December 31, 2011.

TOWN BOARD REORGANIZATION MEETING
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**#43 On Agenda: Motion - Authorize Execution Of Agreement -
New Windsor Volunteer Ambulance Corps**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute the attached Agreement between the Town of New Windsor and New Windsor Volunteer Ambulance Corps, Inc., for the provision of ambulance services and pre-hospital emergency treatment. Said Agreement is effective from January 1, 2011 to December 31, 2011.

Roll Call: All Ayes

Motion Carried: 5-0

**#44 On Agenda: Receive and File Appointment of Coordinator Of The
National Incident Management System (NIMS)**

Hearing no objection, the Town Board of the Town of New Windsor receive and file directive appointing Town Attorney Coordinator for all preparedness funding for the implementation of the National Incident Management System (NIMS).

**#45 On Agenda: Receive And File Fully Executed 2011 Drug And Alcohol
Agreement - Partners In Safety**

Hearing no objections, the Town Board of the Town of New Windsor receive and file fully executed Drug and Alcohol Testing Agreement with Partners In Safety for the year 2011 at a cost of \$46.00 per driver annually for random drug and alcohol testing, pre-employment, post-accident, reasonable cause or follow-up.

**#46 On Agenda: Receive And File Fully Executed 2011 Drug And Alcohol
Agreement - Dial A Bus FTA**

Hearing no objections, the Town Board of the Town of New Windsor receive and file a fully executed Drug and Alcohol Testing Agreement with Partners In Safety for the year 2011 for New Windsor-Cornwall Dial-A-Bus at a cost of \$46.00 per driver annually for random drug and alcohol testing, pre-employment, post-accident, reasonable cause or follow-up.

#47 On Agenda: Motion - Authorize Signing Certificate Of Insurance

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the signing of the Certificate of Insurance, Public Employees Dishonesty Bond, for a period from December 24, 2010 to December 24, 2011, with reference to the Receiver of Taxes.

Roll Call: All Ayes

Motion Carried: 5-0

**#48 On Agenda: Receive and File Results Of Canvass of Ballots -
Annual Election - Quassaick Bridge Fire District**

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Certificate of Results of the canvass of ballots cast for Fire Commissioner at the annual election of the Quassaick Bridge Fire District held on December 14, 2010.

**#49 On Agenda: Receive and File Results Of Canvass of Ballots -
Annual Election - Salisbury Mills Fire District**

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Certificate of the results of the canvass of ballots cast for the Fire Commissioner at the annual election of the Salisbury Mills Fire District held on December 14, 2010.

**#50 On Agenda: Motion - Authorize Execution Of Agreement -
PERMA Tail Claims**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Agreement between the Town of New Windsor and Public Employer Risk Management Association (PERMA) for third party administrative services (tail claims) arising from injuries occurring prior to January 1, 2008. Said Agreement is effective from January 1, 2011 to January 1, 2012.

Roll Call: All Ayes

Motion Carried: 5-0

TOWN BOARD REORGANIZATION MEETING
WEDNESDAY, JANUARY 5, 2011; 7:00 P.M.

#51 On Agenda: Motion - Adopt Resolution Urging Governor To Reconsider Property Tax Cap

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the following resolution:

WHEREAS, towns provide services to more than eight million New Yorkers, yet account for less than 15% of the overall real property tax burden; and

WHEREAS, towns are uniquely dependent upon the real property tax to fund town services, more so than counties, cities and villages in that towns do not have the authority to levy sales taxes, occupancy taxes, gross receipts taxes or income taxes; and

WHEREAS, non property tax revenues such as mortgage recording taxes which fell by \$164 million from 2006 to 2008; sales taxes which declined by \$30 million from 2008 to 2009; and state and federal grant programs which decreased by 5% in the same time frame are subject to market fluctuations and the ability of the federal, state and county governments to share revenue with towns; and

WHEREAS, the costs to provide town services and to fund town operations continue to increase despite declining revenues, such as Health Care; Transportation/ Water/Wastewater; and Pension Contributions; and,

WHEREAS, many town expenses are dictated by compliance with federal and state mandates, most notably: stormwater management, prevailing wage, procurement requirements, collective bargaining procedures, and the administration of real property exemptions; and

WHEREAS, New York State has primarily provided real property tax relief through ad hoc property tax exemptions rather than comprehensive property tax reform, resulting in a tax shift rather than a tax reduction as well as additional administrative and litigation costs; and

WHEREAS, simply capping property taxes will not reduce the cost of health care, mandate compliance, pension contributions or the public's expectation of governmental services; and

WHEREAS, the Town of New Windsor has taken initiative in lowering property taxes through staff and salary reductions and program cuts;

NOW THEREFORE BE IT RESOLVED, that based upon Home Rule principles the Town of New Windsor has traditionally opposed state mandated property tax caps; and

BE IT FURTHER RESOLVED, that the Town of New Windsor calls upon the Governor and members of the State Legislature to fund and/or eliminate state mandates, reform the real property tax system and address cost drivers in the provision of local government services/operations before implementing a property tax cap; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of New Windsor asks the Governor and State Legislature to consider that in order for a real property tax cap to lower property taxes while ensuring the delivery of essential services the program must include at a minimum:

- exemptions for structured costs such as pension contributions, debt service, contract obligations, reductions in state or federal aid and emergencies and costs associated with unfunded and underfunded mandates;
- hardship relief on a case by case basis;
- mandate relief and reform;
- increased and predictable state revenue sharing and aid formulas;
- additional locally generated revenue streams;
- a defined floor of four percent with the possibility of an increased cap based upon a percentage of inflation; and
- local override by supermajority vote of the town board.

Roll Call: All Ayes

Motion Carried: 5-0

TOWN BOARD REORGANIZATION MEETING
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**#52 On Agenda: Receive And File Utility And Access Easement Agreement
- MCB Partnership For Sewer Pump Station #12**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Utility and Access Easement Agreement dated September 17, 2010 from MCB Partnership to Town of New Windsor for an easement across property known as 114 Temple Hill Road in the Town of New Windsor, which was recorded in the Orange County Clerk's Office on the 21st day of October, 2010 in File #20100100182.

**#53 On Agenda: Motion - Authorize Execution Of Agreement -
Town Of Newburgh - Reciprocal Emergency Use**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute an agreement between Town of New Windsor and Town of Newburgh for reciprocal emergency use of fuel storage and pumping facilities.

Roll Call: All Ayes

Motion Carried: 5-0

#54 On Agenda: Receive And File Consent And Order - Mt. Airy Estates

Hearing no objection, the Town Board of the Town of New Windsor receive and file Consent of the Town Board of the Town of New Windsor and Order of the Town of New Windsor Highway Superintendent for the acceptance of the following roads in the Mt. Airy Estates Subdivision (a/k/a The Reserve), as public highways:

P/O Liberty Ridge	Colonial Drive
Constitution Way	Settlers Ridge
P/O Independence Drive	Pioneer Trail
Reveres Run	Patriots Court

#55 On Agenda: Receive And File Permit Bond - Spagnoli Excavating, Inc.

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Continuation Certificate for Permit Bond #B158063, submitted by Spagnoli Excavating, Inc., P. O. Box 4288, New Windsor, New York, in the amount of \$20,000.00, effective December 5, 2010 and expiring December 5, 2011. The purpose of the Permit Bond is to secure a permit from the Town of New Windsor to perform street openings within the Town. Same being referred to the Town Attorney and the Town Highway Superintendent.

**#56 On Agenda: Receive And File Memorandum Of Agreement -
Emergency Evacuation - Stewart Air National Guard Base**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Memorandum of Agreement dated December 10, 2010, between Town of New Windsor, 105th Airlift Wing (105th AW) and New York Air National Guard (NYANG) outlining procedures for emergency evacuation of personnel and their personal vehicles from Stewart Air National Guard Base (SANGB).

**#57 On Agenda: Receive And File Notice Of Claim -
Barillaro V. Town Of New Windsor**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Notice of Claim in the matter of Jaclyn R. Barillaro and Christine Barillaro against the Town of New Windsor, same being referred to the Town Attorney.

#58 On Agenda: Receive And File Certificate Of Clerk As To No Referendum

Hearing no objection, the Town Board of the Town of New Windsor receive and file the Certificate Of Clerk As To No Referendum dated at the close of business on January 3, 2011, regarding the sale of land commonly known as the Verizon Building located at 270 Breunig Road, New Windsor, New York (Section 91, Block 1, Lot 28.)

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**#59 On Agenda: Motion - Authorize Transfer Of Funds -
Mt. Airy Sports Complex**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the transfer of \$107,000.00 from the Parkland Fund to the General Fund.

Roll Call: All Ayes

Motion Carried: 5-0

**#60 On Agenda: Receive And File Fully Executed Contract -
Orange County Energy Efficiency Block Grant Program**

Hearing no objections, the Town Board of the Town of New Windsor receive and file a fully executed agreement with Orange County for financial reimbursement assistance for funding of certain energy efficiency activities which support the 2010 Orange County Energy Efficiency Conservation Block Grant Program.

**#61 On Agenda: Motion - Authorize Execution Of Agreement -
Orange County ALERRT Program**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Inter-municipal Agreement, and any other necessary documents, between Town of New Windsor and County of Orange for the Advanced Law Enforcement Rapid Response Training Program (ALERRT).

Roll Call: All Ayes

Motion Carried: 5-0

#62 On Agenda: Receive And File Annual Reports - 2010

Hearing no objection, the Town Board of the Town of New Windsor receive and file the 2010 Annual Reports of the Building Department, Town Clerk and Recreation Department.

#63 On Agenda: Officials Reports

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of November 2010
Building Department	Month of December 2010
Justice Court - Noreen Calderin	Month of December 2010
Justice court - Richard Thorpe	Month of December 2010
Police Department	Month of December 2010
Recreation Department	Month of December 2010
Tax Receiver Utility Report	Month of December 2010
Town Clerk	Month of December 2010

#64 On Agenda: Public Forum

Supervisor Green opened the public forum portion of the meeting by asking if any of the Board had any comments. He said he wanted to congratulate Anthony and all the Highway Department for the wonderful job they did during last week's snow storm. He also commended the New Windsor Ambulance Corps for the great job they did responding to calls on New Years Day. He said they had six back to back calls which were all handled calmly and coolly, they did a wonderful job. They called for assistance from the Towns of Newburgh and Cornwall Ambulance Corps and the Supervisor also thanked them. He then asked if anyone else had any comments or questions.

Kathy Braun said she was just reporting on her street light problem. She said the light is still not working correctly. Supervisor Green said he had a meeting scheduled with Central Hudson this month to discuss all the street lights in town. He said that all the street lights which are out are being listed by police officers who are on night patrol.

Kirk Williams asked about the Kiryas Joel water tap. Supervisor Green said that Kiryas Joel will be tapping into our tap, not into the aqueduct itself. They will only be taking raw water out.

Leo Braun also asked about the Kiryas Joel water tap. Supervisor Green said their tap will not affect our water supply in any way, the tap can support a large amount of water being withdrawn and if there are turbidity problems, it is their problem, not ours. They will be paying New York City for any water they use and any other costs associated with the tap.

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The supervisor said one of the main reasons he was agreeable to this was because sooner or later, they will be tapping the aqueduct. If Kiryas Joel was to put in their own tap, it means the aqueduct would have to be shut down, however we will still be able to draw water while they are tapping onto our tap. Another benefit is if in the future, we have to change to a bottom tap, Kiryas Joel will have to pay for that.

Mary DeCunzo asked if we are drawing water from Chadwick Lake and Supervisor Green said that we are not drawing anything from Chadwick Lake, the Town of Newburgh draws from Chadwick. He said we were on Town of Newburgh water for a while, about 300,000 gallons a day blending into our system for about a month.

Kirk Williams asked where the Kiryas Joel water pipeline will be going. Supervisor Green said that the pipeline has nothing to do with us, it is between Kiryas Joel and their engineers and he has never seen the plans. He said there might be disruptions along Riley Road and Route 94, but he really doesn't know where they are planning to put the pipeline. He asked Legislator Chris Eachus if he had heard anything and Mr. Eachus said that he had seen the plans, but didn't really remember where they were being laid out. Mr. Eachus then thanked the Supervisor and Town Clerk for working with him throughout the past year.

Barney Bedetti wished everyone a happy new year and thanked Anthony and the Highway Department for the great job they did on the roads. He said his street was always drivable and emergency vehicles would have been able to get through. He went on to say that he is concerned about the 2011 budget that the Town just adopted and feels that there should be a review held so that people would be aware ahead of time where the budget was headed. Supervisor Green said that the budget was always going to be in a hole until the economy improved. Mr. Bedetti said he is concerned about the current procedure used during Town Board meetings, that a motion is made and seconded, then voted on but direct input from the Town Board members is not available. Supervisor Green said that the Board is free to comment at any time during the meeting if they choose to do so. Mr. Bedetti said the public doesn't get to speak on any particular item or motion until the end of the program. Supervisor Green said that Mr. Bedetti certainly knows that anyone is free to make a comment and since he attends workshop meetings, he hears what the Board has to say and that his office is always ready to receive comments. He said that he knows that Mr. Bedetti has also called Board members on occasion to voice his opinion.

William Steidle asked about the settlement agreement with New York City. The Supervisor said that it was over a water billing dispute and they got the bill down from \$400,000 to \$135,000. He said the bill was for excess water charges and how we were being billed for that. Mr. Steidle said it seems all the benefit from the Kiryas Joel water tap is for them and not benefitting the town in any way. Supervisor Green said the tap will benefit both of us. If they had to tap into the Aqueduct itself instead of into our tap, there would be a shutdown and nobody wants that to happen. They will also have to pay for a bottom tap if it ever becomes necessary which would run into a lot of money. He also thanked Anthony and the Highway Department for picking up the trash along Jackson Avenue when he called them in December.

Fran Shapiro said she spoke to John Egitto and the Orange County Department of Health and was the Supervisor aware of those phone calls. She also wanted to know if her development was on Town of Newburgh water. The Supervisor said he was aware of her phone calls and Town of Newburgh water was being blended into our system, but he didn't know specifically where it was going. Mrs. Shapiro said she was told that Newburgh water came from the Delaware Aqueduct and Chadwick Lake. She said she received something from a friend of hers about Newburgh water and did the Supervisor know about it. He said he receives copies of all water notices from the Town of Newburgh. Mrs. Shapiro said she noticed that her water is cloudy and had a fishy smell. She said she called the Board of Health and they told her that she was on Town of Newburgh water. Supervisor Green said she was not on Town of Newburgh water, their water is blended into our system. Mrs. Shapiro said she is here to find out the truth. Supervisor Green said he just told her the truth, Town of Newburgh water was being blended into our system because of turbidity in the Aqueduct so that we would not have to produce quite as much water out of the Aqueduct. Mrs. Shapiro asked why she was not notified as a water customer. Supervisor Green asked why she should be notified, their water is potable just like New Windsor's water. Mrs. Shapiro asked if he read the notice from the Town of Newburgh, and the Supervisor said they were required to send it out. Mrs. Shapiro said that the notice said that if you have a delicate immune system, check this out, and I would like to know if my immune system possibly could be affected and I'd like my Town to let me know about it. Supervisor Green said it would cost us thousands and thousands of dollars to mail something out which is not required by the Health Department. Your friend got a notice the EPA requires be sent out four times annually by the Town of Newburgh because of their filtration problems. It just happened to be simultaneously with the time we were using their water. Mrs. Shapiro said that the Board of Health told her that in the future,

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when this happens they requested that the Town of New Windsor inform their residents. Supervisor Green said that no one from the Health Department has spoken to him about this at all.

Supervisor Green said that a small portion of water from Town of Newburgh was blended in, it started in the beginning of December and was shut off day before yesterday. Mrs. Shapiro asked if he didn't feel it was necessary when there is blending? Supervisor Green said no it isn't necessary. Mrs. Shapiro said she understands that the Health Department has been after the Town of Newburgh because of varying problems, is that true? Supervisor Green said I have no idea what goes on between the Health Department and the Town of Newburgh. Mrs. Shapiro asked if it wasn't a good idea to know if their water is in serious trouble. Supervisor Green said serious trouble were her words, not the EPA's words, not the Health Department's words, but her words and he thanked Mrs. Shapiro for her comments.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum.

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 5-0

#65 On Agenda: Adjourn

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adjourn the Town Board reorganization meeting at 7:57 P. M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc